

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA  
*ex rel.* Mary Jean Brown and Kevin Waite,

Plaintiffs,

v.

CAREMARKPCS, INC., f/k/a ADVANCEPCS,  
INC., A DIRECT SUBSIDIARY OF CAREMARK  
RX, INC., A DELAWARE CORPORATION,

Defendant.

CIVIL ACTION NO. 02-9236

UNITED STATES OF AMERICA, *ex rel.*  
KARL SCHUMANN,

Plaintiff,

v.

CAREMARKPCS, f/k/a ADVANCE PARADIGM,  
INC., A DIRECT SUBSIDIARY OF CAREMARK  
RX, INC., A DELAWARE CORPORATION,

Defendant.

CIVIL ACTION NO. 03-5425

**RELATORS' JOINT NOTICE OF WITHDRAWAL OF RELATORS' JOINT  
APPLICATION FOR RELATORS' SHARE AND REASONABLE ATTORNEYS' FEES  
AND COSTS AND RELATORS' JOINT SUPPLEMENTAL APPLICATION FOR  
REASONABLE ATTORNEYS' FEES AND COSTS**

Relators Mary Jean Brown, Kevin Waite, and Karl Schumann, by and through their counsel, respectfully submit this Joint Notice of Withdrawal of Relators' Joint Application for Relators' Share and Reasonable Attorneys' Fees and Costs ("Joint Application") and Relators' Joint Supplemental Application for Reasonable Attorneys' Fees and Costs ("Joint Supplemental Application").

Relators filed their Joint Application on October 7, 2005 prior to reaching an agreement with the United States on the issue of relator's share. The Relators and the United States have reached an agreement with respect to all outstanding relator's share issues. As the Court observed during a conference in chambers on November 7, 2005, a decision by the Court on the relator's share issue is pending only because the Relators had filed, and currently have pending before this Court, an application to approve relator's share. Since the Relators and the United States have now reached an agreement with respect to all outstanding relator's share issues, that application is now moot, and Relators respectfully withdraw their Joint Application.

Relators filed their Joint Supplemental Application on October 25, 2005. Relators and the Defendant reached an agreement regarding payment of attorneys' fees on September 7, 2005. This agreement was provided to the Court as an exhibit to the Joint Supplemental Application. The Court stated in its October 25, 2005 correspondence to Assistant United States Attorney Barbara Rowland "since the parties have reached a private agreement [regarding attorneys' fees and costs], the court does not believe approval is necessary."

For the foregoing reasons and for those reasons discussed at the conference held in chambers on November 7, 2005, Relators respectfully withdraw their Joint Application and Joint Supplemental Application.

Dated: November 10, 2005

Respectfully submitted,

KREINDLER & ASSOCIATES, P.C.

/s/

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/s/

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*Counsel for Relators*

**CERTIFICATE OF SERVICE**

I declare under penalty of perjury that copies of Joint Notice of Withdrawal of Relators' Joint Application for Relators' Share and Reasonable Attorneys' Fees and Costs and Relators' Joint Supplemental Application for Reasonable Attorneys' Fees and Costs in the above-captioned matters was served today via United States First Class mail, postage prepaid, upon the following persons at the addresses stated:

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Date: November 10, 2005

/s/\_\_\_\_\_  
W. Scott Simmer

